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State of Missouri )  
County of Jackson )ss  
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2008 NOV 17 P 12:03

**Federal Election Commission  
999 E Street, N.W.,  
Washington, D.C. 20463.**

MUR # 6/31

David Browning

Oak Grove, Mo 64075  
Complainant.

v.

Public Television 19, Inc.  
125 East Thirty-First Street  
Kansas City, MO 64108  
Respondent

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**COMPLAINT FOR VIOLATION OF COMMISSION DEBATE  
RULES**

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Comes now the Complainant herein and for his complaint states:

1. That Complainant is David R. Browning,  
Oak Grove, Missouri and a candidate for the United States  
Congress Seat for the 6th District of Missouri.
2. That the respondent is Public Television 19, Inc.  
125 East Thirty-First Street, Kansas City, MO 64108, a Missouri  
Corporation in good standing.
3. That the registered agent of the aforesaid corporation is  
B.M.S.W.L., Inc. 4801 Main Street Suite 1100, Kansas City  
Missouri 64112.

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4. That the aforesaid corporation violated the rules of the commission by holding a debate designed to promote some candidates over others, 11 CFR 110.13(b).

5. That the aforesaid corporation violated the rules of the commission by holding a debate wherein the candidates were not chosen by preexisting , pre-established criteria. 11 CFR 110.13 (c).

6. That the complainant is the third candidate in the United States Congress race for the sixth district of Missouri. Complainant called the president of Public Television 19, Inc and discussed being invited to the debate to be sponsored by the station. Complainant was told that no debate was scheduled or approved. Complainant was never invited to the debate. Complainant believes that there were no pre-established criteria for determining debate participants as the corporate president was unaware that a debate was to be held.

7. That it was reported in the Kansas City Star "October 10, 2008 Tonight is the only televised debate scheduled between Congressman Sam Graves and Kay Barnes in the 6th District Race. But Sam Graves won't be there, as he has refused to attend any televised debates. So Barnes go on by herself on the Kansas City Week In Review program, 7:30 p.m. on KCPT-19 or TW Cable channel 11."

8. That Candidate Kay Barnes reported that the appearance on KCPT - Public Television 19's Week In Review was a debate on her website a copy of said declaration is attached to this complaint.

9. That the television presentation was designated as a debate on the air by the moderator Nick Haines.

10. That the content of debate is archived at Time Warner Cable On Demand in Kansas City. Including the denomination of the show as a debate.

11. That Public Television 19, Inc. was required not to hold a debate without at least two candidates present and can not offer what it described as a debate with one candidate and one empty chair, which is what was done.

12. That complainant lives less than 45 minutes from the studio, was available and would have appeared, but was not asked to attend.

13. That complainant is a candidate for a long established political party in Missouri with full ballot access and was excluded from the advertised debate on 10 October 2008.

14. That Public Television 19, Inc should not be allowed to recharacterize the program as a news story under the exemption set forth in 11 CFR 100.73 or 11 CFR 100.132 having described it in the run up to the show and on the air in the program itself as a debate.

15. That Public Television 19, Inc should not be allowed to recharacterize the program as commentary under the exemption set forth in 11 CFR 100.73 or 11 CFR 100.132 having described it in the run up to the show and on the air in the program itself as a debate.

16. That Public Television 19, Inc should not be allowed to recharacterize the program as an editorial under the exemption set forth in 11 CFR 100.73 or 11 CFR 100.132 having described it in the run up to the show and on the air in the program itself as a debate.

17. That the actions of Public Television 19, Inc. constitute a gift of in kind advertising to the campaign of Democrat Kay Barnes.

18. That the cost of prime time television advertising in the Kansas City market runs between \$7,000 and \$10,000 per minute.

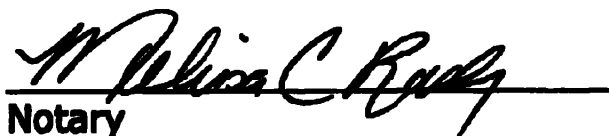
19. That complainant understands that the advertising time so donated exceeded 20 minutes and constituted an inkind contribution of between \$140,000.00 and \$200,000.00 dollars.

Complainant requests the Immediate Intervention of the commission to declare the so called debate in violation of the rules of the commission, a finding that the actions of Public Television 19, Inc constituted an unreported inkind gift to the campaign of Democrat Kay Barnes in excess of \$100,000.00 dollars, that Public Television 19, Inc. be fined an amount deemed reasonable to deter such action in the future preferably a multiple of \$100,000.00 , and for other relief as the commission deems proper upon a full investigation of the facts.

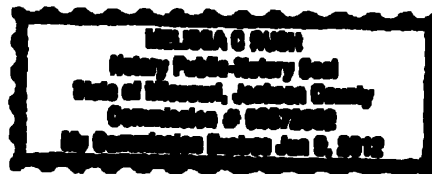
  
David Browning

Oak Grove Missouri 64075  
Defeated Candidate for United  
States Congress

Subscribed and Sworn to before me a Notary Public in and for  
said County and State on 9 November 2008.

  
Notary

My Commission Expires:



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## Graves Refuses Debate, Barnes Faces "Empty Chair"

**Kay Barnes Holds Sam Graves Accountable for his Abysmal Economic Record**

FOR IMMEDIATE RELEASE

Friday, October 10, 2008

Today, Kay Barnes held Sam Graves accountable for his abysmal economic record at a taping of "Kansas City Week in Review" on KCPT. The debate was lopsided because Congressman Sam Graves refused the invitation to the only broadcast television match-up of the campaign, leaving Barnes to face an "empty chair."

"When given a chance to defend his record in front of the widest possible audience of 6th District residents, Congressman Sam Graves refused," said Steve Glorioso, Kay for Congress spokesman. "Missourians are facing a financial crisis brought about by eight years of failed economic policies championed by Congressman Graves and President Bush. It is not surprising that Graves wants to hide behind lies and distortions rather than face the voters he has so miserably let down."

Barnes expressed her frustration with Congressman Graves' pathetic record. Graves has had a chance every day for the last eight years to help Missourians as a Congressman, but he has repeatedly voted against accountability, oversight, and transparency in our financial markets. After rewarding the greed of multibillion dollar corporations and Wall Street executives, Graves does not want to face tough questions about his voting record.

The "empty chair" debate with Kay Barnes can be viewed tonight at 7:30 p.m. on KCPT, Channel 19. It will be rebroadcast on Sunday at 11 a.m. The broadcast will reach 70 percent of the households in Missouri's 6th Congressional District.

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Paid for by Kay for Congress  
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